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U.S. Application Serial No. 09/922,935  
Attorney Docket No. 92654-004-401

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT  
APPLICATION OF:

James G. Gatto

SERIAL NO.: 09/922,935

FILING DATE: August 7, 2001

ART UNIT: 2876

EXAMINER KARL D. FRECH

FOR: ELECTRONIC FUND TRANSFER OR TRANSACTION SYSTEM

**NOTICE OF APPEAL**

**Mail Stop AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.191, Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Examiner's **March 25, 2003** Office Action finally rejecting the pending claims in the above-identified application. A check in the amount of \$160.00 for filing this Notice of Appeal is enclosed herewith. 37 C.F.R. § 1.17(b).

A Request for Reconsideration was filed by Applicant on April 15, 2003 within two months from the March 25, 2003 mailing date of the Final Office Action. To date, Applicant has yet to receive any correspondence (e.g., an Advisory Action or otherwise) from the U.S. Patent Office regarding the above-identified application. Accordingly, Applicant submits that the two-month rule applies (*see* MPEP §706.07(f)) and that no extension of time fees are required with the filing of this Notice. If this determination has been made in error, however, the Commissioner is authorized to charge any additional fees that may be due, or credit any

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overpayment of same, to Deposit Account No. 50-0311 (Ref. No. 92654-004-401). A duplicate copy of this Notice is enclosed.

Respectfully submitted,

  
RALPH A. TORRES #43,195

Date: September 25, 2003

By: James G. Gatto  
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